

07/24/2003 00:58 FAX

JOWSCS 22 OCT 2003

S102760
001

16

October 22, 2003

In re the Application of:

Leon W.M.M. Terstappen, Galla Chandra Rao, Herman Rutner, and Paul A. Liberti

Application Number:

09/801,471

Application Filed: March 8, 2002

Title: LABELED CELLS FOR USE AS AN INTERNAL FUNCTIONAL CONTROL IN RARE CELL DETECTION ASSAYS

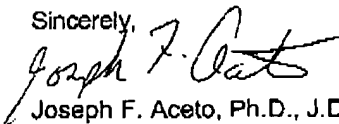
Dear Sir/Madam;

The applicant requests correction of the filing date recorded for U.S. 09/801,471. As shown in the attached documents and highlighted in yellow, the **March 8, 2001** filing date was incorrectly recorded as March 7, 2001 by the Patent Office (see copy of postal card with USPTO Stamp). The March 8, 2001 filing date is the correct date and is supported in the attached Express Mail Receipt-EL676439592US).

Note: A prior attempt was made to correct this matter by our previous representative (Kathleen Rigaut) on May 9, 2001. At that time, a request was sent to correct the filing date of U.S. Patent Application 09/801,471 (See prior fax cover sheet, activity report, along with the return card having the USPTO filing stamp with the wrong filing date and post office receipt having the correct March 8 stamp). Because this issue has not been resolved to date, we must rectify all International applications that use this date for a priority date and so would greatly appreciate your help in handling this issue expeditiously.

Thank you for all your help in each of these matters.

Sincerely,



Joseph F. Aceto, Ph.D., J.D. (50701)

Tele: 215-830-0777 ext. 237

Fax: 215-830-0751

email: jaceto@immunicon.com

DANN,

In re the Application

Leon W.M.M. Terstappen, et al.

Application Number:
not yet assignedFor: Labeled Cells for Use As An
Internal Functional Control In Rare
Cell Detection Assays

The following paper(s) has been received:

Utility Patent Application Transmittal Sheet with
Certificate of Express Mailing
Fee Calculation Sheet (in duplicate)
Check in the amount of \$794.00
7 Sheets of Drawings
57 Sheets of Specification

JC945 U.S. PTO

09/801471

03/07/01

Pay
to the
order
ofComm
WashPatent and Trademark Office is respectfully requested to place its STAMP on the POSTAL CARD and
place it in the outgoing mail.Immunivest
3/8/01 jcbRespectfully,
KDR

For: Labeled Cells for Use As An
Internal Functional Control In Rare
Cell Detection Assays

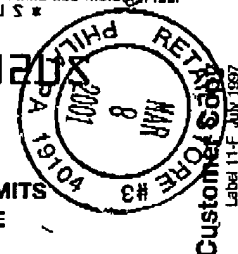
Utility Patent Application Transmittal Sheet with
Certificate of Express Mailing
Fee Calculation Sheet (in duplicate)
Check in the amount of \$794.00
7 Sheets of Drawings
57 Sheets of Specification

Patent and Trademark Office is respectfully requested to place its STAMP on the POSTAL
place it in the outgoing mail.

Immunivest
3/8/01 jcbPOST OFFICE
TO ADDRESSEE

EL6764395920

EL6764395920

SEE REVERSE SIDE FOR
SERVICE GUARANTEE AND LIMITS
ON INSURANCE COVERAGE

ORIGIN (POSTAL USE ONLY)			
PO # 19104	Day of Delivery	Flat Rate Envelope	
Date In 3 8 01	<input type="checkbox"/> Next <input checked="" type="checkbox"/> Second	<input type="checkbox"/>	
Time In 3:01 PM	<input type="checkbox"/> 12 Noon <input checked="" type="checkbox"/> 3 PM	Postage \$ 16.00	
Weight 12.21	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee	
Int'l Alpha Country Code	COD Fee	Insurance Fee	
No Delivery <input type="checkbox"/> Weekends <input type="checkbox"/> Holidays <input type="checkbox"/>	Adoptive Clerk Initials	Total Postage & Fees \$ 16.00	

CUSTOMER USE ONLY		WARRANTY OF SIGNATURE (Domestic Only): Additional transportation insurance is void if waiver of signature is requested.	
METHOD OF PAYMENT:		I wish delivery to be made without obtaining signature of addressee or addressee's agent. If delivery employee judges that article can be left in secure location and I authorize that delivery employee's signature constitutes valid proof of delivery.	
Express Mail Corporate Acct. No. X142022-257		NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday <input type="checkbox"/>	
Federal Agency Acct. No. or Postal Service Acct. No.		Customer Signature	

FROM: (PLEASE PRINT)
DANN DUFMAN HERRELL
SKILLMAN
601 MARKET ST STE 720
PHILADELPHIA PA 19103-2307
MIND. CIP TERSTAPPEN

TO: (PLEASE PRINT)
COMMISSIONER OF PATENTS
WASHINGTON DC 20231-0001
Box PATENT APPLICATION

HARD.
making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811

www.usps.gov

requested.
layee judges
to proof of

0001

DANN, DORFMAN, HERRELL AND SKILLMAN
A Professional Corporation
1601 Market Street
Suite 720
Philadelphia, PA 19103-2307
Telephone (215) 563-4100
Facsimile (215) 563-4044

FAX COVER SHEET**CONFIDENTIALITY NOTE**

This facsimile transmission may contain information which is confidential and/or privileged. The information is intended for the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying or use of the contents of this facsimile is prohibited. If you have received this facsimile in error, please call us at (215) 563-4100 immediately so that we can arrange for a corrected transmission and the retrieval of any original documents at no cost to you.

DELIVER TO: Customer Corrections
U.S. Patent and Trademark Office

FACSIMILE #: (703) 308-7751

DATE: May 9, 2001

FROM: Kathleen D. Rigaut, Ph.D., J.D.

OPERATOR: Jane C. Bogan

RE: U.S. Patent Application No. 09/801,471

Message: Please correct the filing date on the Official Filing Receipt. The correct filing date is March 8, 2001, as evidenced by the Express Mail Receipt and Transmittal Sheet, copies which are being facsimile transmitted herewith. It is further requested that a new official filing receipt be issued when the Patent and Trademark Office records have been corrected.

IF THE ACCOMPANYING/ABOVE MESSAGE IS NOT RECEIVED PROPERLY, PLEASE CALL (215) 563-4100 AND LEAVE A MESSAGE FOR THE OPERATOR INDICATED ABOVE.

*** ACTIVITY REPORT ***

TRANSMISSION OK

TX/RX NO.	2022
CONNECTION TEL	17033087751
CONNECTION ID	
START TIME	05/09 14:47
USAGE TIME	02'51
PAGES	4
RESULT	OK

Carolyn (Handling)
703-308-0198